

JAN 11 2007

CASHIER'S SECTION
OPERATOR

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

STEVEN EDGAR SIMPSON
UNLICENSED

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DOCKETED COMPLAINT NO.
06-155 & 07-040

AGREED FINAL ORDER

On this the 9th day of February, 2007, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of Steven Edgar Simpson (Respondent). The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

FINDINGS OF FACT

1. Respondent formerly held an appraiser trainee authorization from the Board. However, Respondent is not and was not certified, licensed, authorized or registered by the Board during all times relevant to the findings of fact and conclusions of law outlined in this order.
2. Respondent is subject to the jurisdiction of the Board, the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq. (Vernon 2005) (the Act), the Rules of the Board, 22 TEX. ADMIN. CODE §§153, 155, 157 (West 2005) (the Rules).
3. On or about June 7th, 2006, and in accordance with TEX. OCC. CODE § 1103.451, the Board received a consumer complaint against Respondent from Catherine J. Wade, a real estate appraiser in Brownsville, Texas.
4. Ms. Wade's complaint alleges that Respondent conducted real estate appraisals under her name, without her knowledge and consent, by signing her name and license number, attaching her license and submitting it to clients.
5. On or about July 27th, 2006 and again on September 14th, 2006, the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. § 2001, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations alleged by the Complainant. Respondent's response was received.

6. On or about October 20th, 2006, in accordance with TEX. OCC. CODE § 1103.451, the Board received a staff-initiated complaint against Respondent from Troy Beaulieu, the attorney for the Board.
7. Mr. Beaulieu's complaint alleges that Respondent performed unlicensed appraisal reports and in conducting these appraisals, that Respondent forged the license and signature of other licensed real estate appraisers.
8. On or about December 7th, 2006 the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. § 2001, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations alleged by the Complainant. Respondent's response was received.
9. The Enforcement Division has concluded that Respondent has violated TEX. OCC. CODE § 1103.5535 and 22 TEX. ADMIN. CODE § 153.37 because he has engaged in real estate appraisal, appraisal practice, or any appraisal related activity without holding a license, certificate, registration or authorization from the Board.
10. The Enforcement Division has also concluded that Respondent forged the name and license number of Catherine J. Wade in order to fraudulently complete real estate appraisals even though Respondent has no legal authority to conduct real estate appraisals. Respondent has thereby violated TEX. OCC. CODE § 1103.401 by using the title, designation, initials or other insignia or identification of Catherine Wade to fraudulently complete residential real estate appraisals even though he holds no license, certification, registration or authorization from the Board.
11. The Enforcement Division has concluded that Respondent also forged the name and license number of Michael Ellis in order to fraudulently complete real estate appraisals even though Respondent has no legal authority to conduct real estate appraisals. Respondent has thereby violated TEX. OCC. CODE § 1103.401 by using the title, designation, initials or other insignia or identification of Michael Ellis to fraudulently complete residential real estate appraisals even though he holds no license, certification, registration or authorization from the Board.
12. The Enforcement Division has determined that Respondent has conducted at least (50) fifty different real estate appraisals under Michael Ellis' name even though Respondent was the one actually performing the appraisal and Respondent never held any license, certification, authorization or registration from the Board during that time.
13. The Enforcement Division has determined that Respondent's appraisals were conducted under the business entity name "Appraisal of America",

which is prominently listed on the appraisal reports. In addition, many of these appraisal reports contain Respondent's telephone number (214-316-9513) or include invoices which indicate payment was made to Respondent.

14. Respondent has received money in exchange for the appraisal reports he conducted even though he did not hold a license, certification, authorization or registration to engage in real estate appraisal activities.

CONCLUSIONS OF LAW

1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq. (Vernon 2005).
2. Respondent violated TEX. OCC. CODE § 1103.5535 and 22 TEX. ADMIN. CODE § 153.37 because he has conducted real estate appraisal activities in Texas without holding a license, certification, authorization or registration.
3. Respondent violated TEX. OCC. CODE § 1103.401 by using the title, designation, initials or other insignia or identification of Catherine J. Wade to fraudulently complete residential real estate appraisals.
4. Respondent violated TEX. OCC. CODE § 1103.401 by using the title, designation, initials or other insignia or identification of Michael Ellis to fraudulently complete residential real estate appraisals.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that the Respondent:

- a. Shall pay to the Board an Administrative Penalty of \$5,000.00;
- b. Shall be permanently barred from ever being granted an authorization, license, certification or registration from the Board.

Payment of the **ADMINISTRATIVE PENALTY** must be by certified funds, and must be paid within (20) twenty days of execution of this Agreed Final Order.

Respondent, by signing this Agreed Final Order, neither admits nor denies that the findings of fact and conclusions of law herein set forth are correct; however, Respondent consents to the entry of this Agreed Final Order to avoid the expense of litigation and to reach an expeditious resolution of this matter. Respondent also agrees to satisfactorily comply with the mandates of this Agreed Final Order in a timely manner.

Respondent, by signing this Agreed Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Order. Information about this Agreed Order is subject to public information requests and notice of this Agreed Order will be published in the Board's newsletter and/or on the Board's web site.

THE DATE OF THIS ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 8 day of Jan, ~~2006~~²⁰⁰⁷.


STEVEN EDGAR SIMPSON

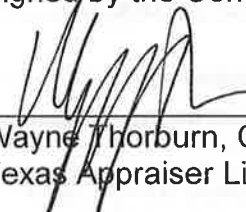
SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 8 day of Jan, ~~2006~~²⁰⁰⁷, by STEVEN EDGAR SIMPSON, to certify which, witness my hand and official seal.


Notary Public Signature

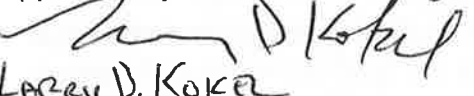
DAVID MARTINEZ
Notary Public's Printed Name



Signed by the Commissioner this 5th day of February, ~~2006~~²⁰⁰⁷.


Wayne Thorburn, Commissioner
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 9 day of February, 2007.


LARRY D. KOKER
Shirley Ward, Chairperson
Texas Appraiser Licensing and Certification Board